TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 7, SERIES 2016

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH APPROVING THE
AMENDED PLANNED DEVELOPMENT OVERLAY FOR HARMONY SUBDIVISION,
GENERALLY LOCATED WEST OF AND ADJACENT TO LATHAM PARKWAY, AND NORTH
OF AND ADJACENT TO HARMONY ROAD

WHEREAS, Harmony, LLC (the “Developer”) has submitted a Amended Planned Development
Overlay for the Harmony Subdivision, more particularly described in Exhibit A (legal
description) and Exhibit B (Amended Planned Development Overlay) and attached hereto and
incorporated herein by this reference (the “Property”); and

WHEREAS, a properly noticed public hearing was held on March 15, 2016, and the above
described Final Planned Development Overlay was recommended for approval to the Town
Council by the Town of Timnath Planning Commission with the following conditions:

1. Allow staff to continue to work with applicant to address all unresolved non-
substantive technical comments to the satisfaction of Town Staff and Referral
Agencies

WHEREAS, a properly noticed public hearing with the Town Council was held on April 12, 2016
and upon hearing the statements of staff, the applicant(s) and giving consideration to the
recommendations, the Town Council determines as provided below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
TIMNATH, COLORADO:

Section 1. Property Zoned
That Article 3 of the Timnath Land Use Codes and the map referred to therein as the "Official
Zoning Map of the Town of Timnath", said map being part of said Zoning Code and showing the
boundaries of the district specified, shall be and the same is hereby amended in the following
particulars, to wit:

The existing R-E, R-3, and MU zoning is amended with the addition of a Planned
Development Overlay – See attached Exhibits A&B

Section 2. Conditions
1. Allow staff to continue to work with applicant to address all unresolved non-
substantive technical comments to the satisfaction of Town Staff and Referral
Agencies

Section 3. Public Hearing
The Town Council held a public hearing on Tuesday, April 12, 2016 regarding the zoning of the
property.

Section 4. Severability
If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be
unconstitutional or invalid for any reason, such decision shall not affect the validity or
constitutionality of the remaining portions of this Ordinance. The Council hereby declares that it

RECEIPT # : 20160022254, 04/13/2016 at
10:34:42 AM, 1 OF 5, R $31.00 TD Pgs: 0
Angela Myers, Clerk & Recorder, Larimer
County, CO
would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.

Section 5. Effective Date
This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Ordinance available for inspection by the public during regular business hours.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON MARCH 22, 2016, AND SET FOR PUBLIC HEARING, AND SECOND READING AT 6:00 P.M. ON APRIL 12, 2016 AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 12 DAY OF APRIL, 2016.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON APRIL 12, 2016.

TOWN OF TIMNATH, COLORADO

Jill Grossman-Belisle, Mayor

ATTEST:

Milissa Peters, CMC
Town Clerk
EXHIBIT A

Legal Description of Property Proposed for Amended Planned Development Overlay

ALL OF SECTION 38, TOWNSHIP 7 NORTH, RANGE 66 WEST, 6TH P.M.

SAID DESCRIBED TRACT CONTAINS 642.93 ACRES (26,005,993 SQUARE FEET), MORE OR LESS AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY NOW ON RECORD OR EXISTING.
EXHIBIT B

Amended Planned Development Overlay

[attached]